

REMARKS

Claims 1-2, 4-5, 8-13, 15-16, 19-22, 24, and 27-28 are pending.

Claims 3, 6-7, 14, 17-18, 23, and 25-26 have been cancelled, without prejudice.

Claims 29-31 have been added.

In the Decision on Appeal dated May 24, 2010, the Board affirmed the rejections of the claims raised in the Examiner's Answer dated September 18, 2007.

In view of the amendments made to independent claims 1, 13, and 22, the final rejections have been rendered moot.

With respect to the § 103 rejections of certain claims, the Decision on Appeal noted that certain claims, such as former claim 7, recited "adapted to," which the Board argued "does not require that the controller actually distribute rows in the first result set across the access modules based on a hash of columns of the second grouping set and at least another column that is assigned a predefined value." 05/24/2010 Decision on Appeal at 10. The Decision on Appeal noted that "adapted to" renders the claim language "a statement of intended use, which is fully met by a prior art structure that is capable of performing the intended use." *Id.* According to the Decision on Appeal, "a statement of intended use in an apparatus claim cannot distinguish over a prior art apparatus that discloses all recited limitations and is capable of performing the recited function."

We have removed the "adapted to" language in the claims, and therefore, have rendered these findings of the Board moot.

In view of the amendments made to the claims, it is respectfully submitted that all claims are in condition for allowance, including newly added dependent claims 29-31.

In view of the foregoing, allowance of all claims is respectfully requested.

The Commissioner is authorized to charge any additional fees and/or credit any overpayment to Deposit Account No. 50-4370 (11166).

Respectfully submitted,

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